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SUBJECT: AEC CALLS FOR URGENT IMPLEMENTATION OF LAWS

REF: A) 09 KHARTOUM 1462 B) 09 KHARTOUM 1475

¶1. (SBU) SUMMARY: On January 5, the Assessment and Evaluation Commission (AEC) held its 50th plenary meeting. In light of the recent passage of the Southern Sudan Referendum Law, Abyei Referendum Law and Blue Nile and Southern Kordofan Popular Consultations Law, members noted that implementation must begin as soon as possible. The AEC emphasized that post-referendum discussions between the National Congress Party (NCP) and Sudan People's Liberation Movement (SPLM) should begin immediately. Ambassador Derek Plumbly, Chairman of the AEC, noted that salary arrears in Abyei have been paid, though further 2010 budget planning is needed. The NCP and SPLM may extend with the impending discussion of the difficult post-referendum issues. END SUMMARY.

¶2. (SBU) During the January 5 AEC plenary meeting, Chairman Derek Plumbly noted that Sudan will pass the 5th anniversary of the CPA signing on January 9. Plumbly noted that while there are some successes to celebrate, there is much still to be done. Following the approval of the Southern Sudan Referendum Law, Abyei Referendum Law and Blue Nile and Southern Kordofan Popular Consultation Law, milestones in fulfilling the CPA, Plumbly noted that it is time to begin immediate implementation of these laws (reftels).

IMMEDIATE IMPLEMENTATION IMPERATIVE

¶3. (SBU) Virtually every member of the AEC noted the importance of implementing the recently-agreed laws as soon as possible. Ray Kennedy, Chief UNMIS Electoral Affairs Officer, said that the Southern Sudan and Abyei Referenda Commissions need to be set up right away to avoid further delays in "decisions that are already overdue". Plumbly stated that since Southern Sudan Referendum commissioners must be approved by the National Legislature (a joint session of the National Assembly and Council of States), as stipulated by law, it is essential that the NCP and SPLM move quickly to nominate members. The SPLM representation requested the UN electoral affairs office provide the parties with a timeline of essential deadlines for Southern Sudan referendum planning, which will help the parties to understand the deadlines they should meet. Minister Kosti Manibe, Government of National Unity Minister of Cabinet Affairs and senior member of the SPLM, stated that during an Institute for Security Studies (ISS) conference hosted in Johannesburg, South Africa, the SPLM and NCP were told that East Timor organized a referendum in three months. Minister Kosti questioned why Sudan cannot do the same thing and insinuated that international pressure to expedite implementation of the laws was unnecessary. Kennedy stated that the East Timor Referendum was organized with all normal international procurement rules waived, extraordinary political will and intensive international support, which does not reflect the current environment in Sudan.

INITIATING POST REFERENDUM ISSUES DISCUSSION

14. (SBU) AEC members stressed the need to help facilitate post-referendum discussions promptly. Plumbly noted that the United States, African Union and European Community have agreed to work together to facilitate discussions and provide the necessary technical expert's. The NCP and SPLM seemed noncommittal about who would be involved in these talks, although subsequently the SPLM delivered a series of papers detailing how it plans to approach the post-referendum discussions.

ABYEI BACK SALARIES PAID

15. (U) The IGAD observer noted Misseriya concerns with the recently-agreed Abyei Referendum Law. He stated that the law cannot be presumed final since the President is planning to meet with Misseriya members of the legislative assembly in connection with their concerns. The NCP representative agreed that the concerns of the Misseriya are concerns of the Government of Sudan. Plumbly acknowledged that not all constituencies in the area are in agreement with the Abyei Referendum Law. He emphasized that the parties must strive to inform and reassure the Misseriya about the terms of the law and the future of Abyei, while providing the Misseriya with greater development opportunities. Regarding progress on the Abyei budget, Plumbly noted that while some employees of the Abyei administration, including the police, had recently received up to seven months back pay, and salaries for the 2010 budget have been determined, significant operational aspects of the 2010 Abyei budget remain incomplete.

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16. (SBU) COMMENT: The NCP and SPLM representatives to the AEC did not seem to feel the urgency of implementing the Southern Sudan Referendum, Abyei Referendum and Blue Nile and Southern Kordofan Popular Consultation Laws but in separate conversations other more senior SPLM and NCP officials indicated that they understand the urgency of dealing with post-referendum issues such as nationality and wealth -sharing END COMMENT.

WHITEHEAD